

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 6620 of 2002

Between:

Mr. Gopalakrishna Kalanidhi

S/o Shri K.Narasimha Rao

Aged 46 years, Occ: Legal Profession

New S.B.H.Colony, Domalguda,

Hyderabad.

..... PETITIONER

AND

1. State of Andhra Pradesh, rep. by its Secretary

Municipal Administration Department, A.P. Secretariat,

Hyderabad.

2. The Commissioner of Municipal Corporation of Hyderabad

Tank Bund, Hyderabad.

3. The Director-General of Police, Andhra Pradesh,
Hyderabad, Office situated at Lakadikapool,
Hyderabad.

4. The Commissioner of Police, Twin Cities
Office situated at Basheerbagh
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or orders, more particularly, one in the nature of Writ of Mandamus declaring the actions of the respondents in so far as permitting the contractors to collect parking fees for cycles, two wheelers, four wheelers etc., from the respective vehicle-users in the State of Andhra Pradesh, unauthorisedly by converting/expanding/ encroaching either sides of main road margins and converting them into paid parking centers and collecting prescribed fees over and above from the vehicle users and consequently declare the action of the Respondents in so far as not booking cases against erring contractors even after written complaints/oral complaints made by several effected persons including the petitioner herein, and, not punishing them as per law as amounting to highly arbitrary, illegal and unconstitutional.

Counsel for the Petitioner: MR.Gopala Krishna Kalanidhi

(Party-in-person)

Counsel for the Respondents 1, 3 & 4: GP FOR HOME

Counsel for Respondent No.2: Mr.Ghanta Rama Rao

SC for MCH.

The Court made the following :

ORAL ORDER:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

Writ Petition was filed as Public Interest Litigation by the petitioner with a prayer to declare the action of the respondents in permitting the contractors to unauthorisedly collect parking fees etc. In fact, petitioner says that in earlier Writ petition opportunity was given to him to bring to the notice of the Commissioner the illegality, if any, committed by the contractors, who were permitted to charge parking fees. Representation said to have been submitted by the petitioner to the Police Commissioner is not part of the record. Contractors against whom allegations are made are also not made parties. Petitioner further submits that during the pendency of the Writ Petition, State Government has come forward with some other scheme of collecting municipal parking charges.

Having gone through the averments made in the Writ Petition, we find that it is not happily worded and even the allegations are general in nature without impleading concerned parties. Therefore, with leave and liberty granted to the petitioner to file a comprehensive petition on specific issue impleading appropriate parties, we dismiss this Writ Petition. No costs.

DEVINDER GUPTA, C.J.

21.9.2004.

C.V.RAMULU, J.

VR

To

1. The Secretary to Government of Andhra Pradesh,
Municipal Administration Department, A.P. Secretariat,
Hyderabad.
2. The Commissioner of Municipal Corporation of Hyderabad
Tank Bund, Hyderabad.
3. The Director-General of Police, Andhra Pradesh,
Hyderabad, Office situated at Lakadikapool,
Hyderabad.

4. The Commissioner of Police, Twin Cities

Office situated at Basheerbagh

Hyderabad.

5. Two CCs to Govt. Pleader for Home, High Court Buildings, Hyderabad (OUT).

6. Two CD copies.